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FOUNDED 1866

October 2, 2014

**By Email and Federal Express**

Mr. Douglas R. Kramer  
Deputy Director  
Bureau of Energy Resources  
United States Department of State  
Room 4843  
2201 C Street, NW  
Washington, DC 20520

Attention: Kristine Morrissey

Re: Application for New Presidential Permit to Reflect Name Change

Dear Mr. Kramer:

Kinder Morgan Cochin, LLC, a Delaware limited liability company ("KM Cochin"), files this application for a new Presidential Permit, pursuant to Executive Order 13337, for the operation and maintenance of a cross-border pipeline ("the Cochin Pipeline") formerly owned by Dome Pipeline Corporation ("Dome Pipeline"). KM Cochin requests a new Presidential Permit reflecting sole ownership of the Cochin Pipeline by KM Cochin. This new permit is an assignment from a single, existing permit that covered two separate cross-border pipelines formerly owned by Dome Pipeline – the Cochin Pipeline and the Eastern Delivery System Pipeline ("EDS Pipeline"), now known as the Detroit River Pipeline. KM Cochin seeks this new Permit because it intends to continue to operate and maintain the Cochin Pipeline in a manner that is substantially unchanged from the terms of the existing permit.

As originally constructed, the Cochin Pipeline is a 1,819 mile, 12 inch diameter pipeline that originates in Ft. Saskatchewan, Alberta and terminates at Windsor, Ontario. The pipeline crosses from Canada into the United States near Sherwood, ND (for which KM Cochin holds a separate Presidential Permit) and crosses back into Canada underneath the Detroit River between Detroit, Michigan and Windsor, Canada (see the Cochin Pipeline system map in Attachment 1). The portion of the Cochin Pipeline that crosses the United States-Canada border in Detroit,

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Michigan was originally constructed in the 1950s by American Brine, Inc., who also built the parallel EDS Pipeline. American Brine, Inc. obtained the original Presidential Permit for the border crossings (of both pipelines) on October 23, 1957.<sup>1</sup> A copy of that permit is attached as part of Attachment 2. In 1972, a permit amendment was sought to reflect the sale of both pipelines to Dome Pipeline and permit the transportation of liquid hydrocarbons. The ownership of the two pipelines was separated in 2007 when Kinder Morgan Energy Partners LP purchased Dome Pipeline. However, just prior to the sale, Dome Pipeline transferred ownership of the EDS Pipeline to Dome Petroleum Corp. Following the sale, Kinder Morgan Energy Partners, L.P. (“KMP”) changed Dome Pipeline’s name to Kinder Morgan Cochin LLC. Thereafter, the two parallel pipelines were named the EDS Pipeline (owned by Dome Petroleum Corp.), and the Cochin Pipeline (owned by KM Cochin).

On June 7, 2010, KM Cochin and Dome Petroleum Corp. submitted a joint application for a Presidential Permit reflecting the new ownership of the two pipelines (see Attachment 2).<sup>2</sup> The application is pending before the Department of State, but several superseding events have occurred since 2010 which prompt KM Cochin’s renewed application. First, Plains LPG acquired the EDS Pipeline as part of a broader acquisition by Plains Midstream of BP Canada Energy Corporation, which owned Dome Petroleum LLC (formerly Dome Petroleum Corp.). Second, on June 15, 2012, Plains LPG filed a new application (“June 15 Application”) for a Presidential Permit for the EDS Pipeline, but *not* the Cochin Pipeline. Plains LPG requested that the June 15 Application supersede the 2010 application filed jointly by KM Cochin and Dome Petroleum Corp. On May 23, 2014, the Department of State issued the requested permit to Plains LPG.

Given the foregoing, KM Cochin respectfully requests that this application supersede the 2010 application filed jointly by KM Cochin and Dome Petroleum Corp. and that the Department of State grant KM Cochin’s application for a new Presidential Permit reflecting KM Cochin’s ownership of the Cochin Pipeline. This permit shall be a replacement for the Presidential Permit currently held by KM Cochin (formerly known as Dome Pipeline Corporation) which covers both the KM Cochin and Plains LPG pipeline crossings. KM Cochin plans to continue operating the pipeline exactly in the manner specified in the current permit. The original Presidential Permit issued for the Cochin Pipeline (and the EDS Pipeline) indicated that the pipelines would transport brine. Through a series of new permits, amendments, and letters with the Department of State and the Army Corps of Engineers, the Cochin/EDS

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<sup>1</sup> A new permit issued in 1969 to American Brine, Inc. superseded the original 1957 Presidential Permit.

<sup>2</sup> The June 2010 KM Cochin and Dome Petroleum application amended an earlier application submitted September 22, 2008.

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Presidential Permit was subsequently modified with a stated purpose of transporting petroleum, petroleum products, and other liquid hydrocarbons.

Because of the above described transfer of ownership of the EDS Pipeline to Dome Petroleum Corp. and the new Presidential Permit issued to Plains LPG, it is necessary for KM Cochin to obtain a new Permit reflecting solely KM Cochin's portion of the existing permit. Because the terms of the existing permit indicate that the pipeline must be operated in exactly the manner specified in the permit, including the restriction that no portion of it can be assigned, the transfer of the EDS Pipeline to Dome Petroleum Corp., and subsequently Plains LPG, also makes it necessary for KM Cochin to seek a new permit. Accordingly, KM Cochin seeks to have a new Presidential Permit issued that is nearly identical to that issued to Plains LPG in May 2014,<sup>3</sup> but reflects only KM Cochin's ownership of the Cochin Pipeline and does not address the EDS/Plains LPG pipeline.

According to the Federal Register notice issued on May 31, 2005, transferee entities are required to submit applications for new permits which contain "information explaining the nature of the entity, its ownership, its place of incorporation or organization, information concerning its acquisition of relevant facility, bridge or border crossing from the prior permit holder and any other relevant information concerning its operation of the facility, bridge or border crossing." (70 Fed. Reg. 30990). In addition, the notice provides that if the "transferee commits to abiding by the relevant terms and conditions of the previously-issued permit and further indicates that the operations of the relevant facility, bridge or border crossing will remain essentially unchanged from that previously permitted, the Department of State, pursuant to 22 C.F.R. 161.7(b)(3), does not intend to conduct an environmental review of the application under its regulations implementing the National Environmental Policy Act, 22 C.F.R. Part 161, unless information is brought to its attention in connection with the application process that the transfer potentially would have a significant impact on the quality of the human environment."

This application addresses only the Presidential Permit for that portion of the Cochin Pipeline that crosses the international boundary line at the Detroit River in Michigan, and not the portion of the Cochin Pipeline that crosses the international boundary line in North Dakota (for which KM Cochin received a separate Presidential Permit on November 19, 2013). For purposes

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<sup>3</sup> Article 5 of the Plains LPG Presidential Permit requires that Plains LPG "notify the . . . Pipeline and Hazardous Materials Safety Administration immediately with regard to its plans to return to active service the United States facilities, which are not currently in use for the transport of authorized products." Notice of Issuance of a Presidential Permit for Plains LPG Services, L.P. (Detroit River Pipeline Facilities), 79 FR 32601 (Jun. 5, 2014). Such a requirement is not necessary for the Cochin Pipeline since the Cochin Pipeline has always remained in active service, unlike the EDS/Plains LPG pipeline.

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of this permit, the eastern portion of the Cochin Pipeline refers to that section of the pipeline from Milford, Indiana to Windsor, Ontario (because the western portion of the pipeline is currently flowing westbound out of Kankakee County, Illinois, and the portion of the pipeline between Kankakee County, Illinois and Milford, Indiana is currently undergoing a reversal, after which the oil will flow westbound out of Milford, Indiana). Accordingly, and pursuant to the requirements set forth in the Federal Register, as noted above, KM Cochin provides the following information:

(1) KM Cochin is a Delaware limited liability company with its principal office at 1001 Louisiana Street Suite 1000, Houston, TX 77002. It is engaged in the interstate, intrastate and international transportation by pipeline of light liquid hydrocarbons, including transportation of light liquid hydrocarbons between the U.S. and Canada on the Cochin Pipeline at the Detroit River crossing in Michigan. KM Cochin is an indirectly wholly owned subsidiary of KMP, a Delaware master limited partnership listed on the NYSE as "KMP", with its principal office at 1001 Louisiana Street, Suite 1000, Houston, TX 77002. The general partner of KMP is Kinder Morgan G.P., Inc., ("KMGP") a Delaware corporation, which is owned by Kinder Morgan, Inc., ("KMI", as listed on the NYSE), a Delaware corporation. KMP is owned by KMI through common and class B limited partner units, by KMG through its 1% general partner interest, and by public investors as limited partners holding common units purchased on the NYSE. The relationship between KMI, KMGP, KMP and KM Cochin is shown in Attachment 3.

(2) On March 15, 2007, KMP, through its affiliate KMOLPA, acquired Dome Pipeline, a Delaware corporation wholly owned by Dome Petroleum Corp., a North Dakota corporation. Dome Pipeline was engaged in the interstate, intrastate and international transportation by pipeline of light liquid hydrocarbons, including transportation of liquid hydrocarbons between the U.S. and Canada on the Cochin Pipeline at the Detroit River crossing in Michigan. Dome Pipeline was the prior holder of the Permit originally issued in 1957, which was amended in 1969 and 1972.

(3) KM Cochin has reviewed the past, current, and anticipated future operation of the Cochin Pipeline with respect to the border crossing at the Detroit River in Michigan. KM Cochin recognizes that the Cochin Pipeline carries petroleum products, natural gas liquids, and other hydrocarbons through the border crossing, in accord with the existing permit. KM Cochin expects that the anticipated future use of the pipeline through the border crossing will be substantially unchanged from the currently permitted use. Accordingly, KM Cochin believes that the impact on the environment of the pipeline crossing has not changed substantially. Moreover, KM Cochin has no immediate plans for construction on the Cochin Pipeline's Detroit River border crossing. KM Cochin recently completed and put into operation a reversal on a

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western portion of the Cochin pipeline system in order to move liquid hydrocarbon products westbound from a new KM Cochin terminal in Kankakee County, Illinois, to existing facilities in Alberta, Canada. In addition, the portion of the pipeline between Kankakee County, Illinois and Milford, Indiana is currently undergoing a reversal in order to provide the westerly flow of liquid hydrocarbon products from Milford, Indiana. Neither of the above-described reversal projects affect the eastern portion of the Cochin Project, nor do they have any impact on the Detroit River border crossing or the terms of the Presidential Permit.

(4) KM Cochin hereby commits that it will abide by the terms and conditions of the Permit previously issued to Dome Pipeline, and the operations of the pipeline will remain essentially unchanged from that which was authorized by the previously-issued Permit.

(5) KM Cochin was not actively involved with the operation of the Cochin Pipeline prior to March 15, 2007, and hence has no actual knowledge of any material environmental problems related to the pipeline prior to that time. KM Cochin has no knowledge of any material environmental problems relating to the Cochin Pipeline after that date. Going forward, the inspection and maintenance programs operated by KM Cochin are intended, in part, to prevent environmental problems related to the pipeline. The pipeline is subject to the rules and regulations of the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA"). KM Cochin believes, to the best of its knowledge as of the date of this letter, that it is in substantive compliance with PHMSA's hazardous liquid pipeline safety regulations stated in 49 C.F.R. Part 195, as amended. Furthermore, as required by PHMSA, KM Cochin has in place integrity management programs that involve regular inspections of pipelines and other regularly scheduled activities. These programs specify actions to be taken if any problems are discovered during inspection. These integrity management programs have been reviewed with PHMSA and allowed as acceptable methods of maintaining the integrity of the pipeline system.

Having provided the information above in accordance with the procedure set forth in 70 Fed. Reg. 30990, KM Cochin hereby respectfully requests that a new Presidential Permit be issued to **Kinder Morgan Cochin, LLC**, reflecting the change in ownership of the Cochin Pipeline and its facilities that cross the United States-Canada border in Detroit, Michigan.



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If you have any questions, please feel free to contact me at the address and telephone number provided above.

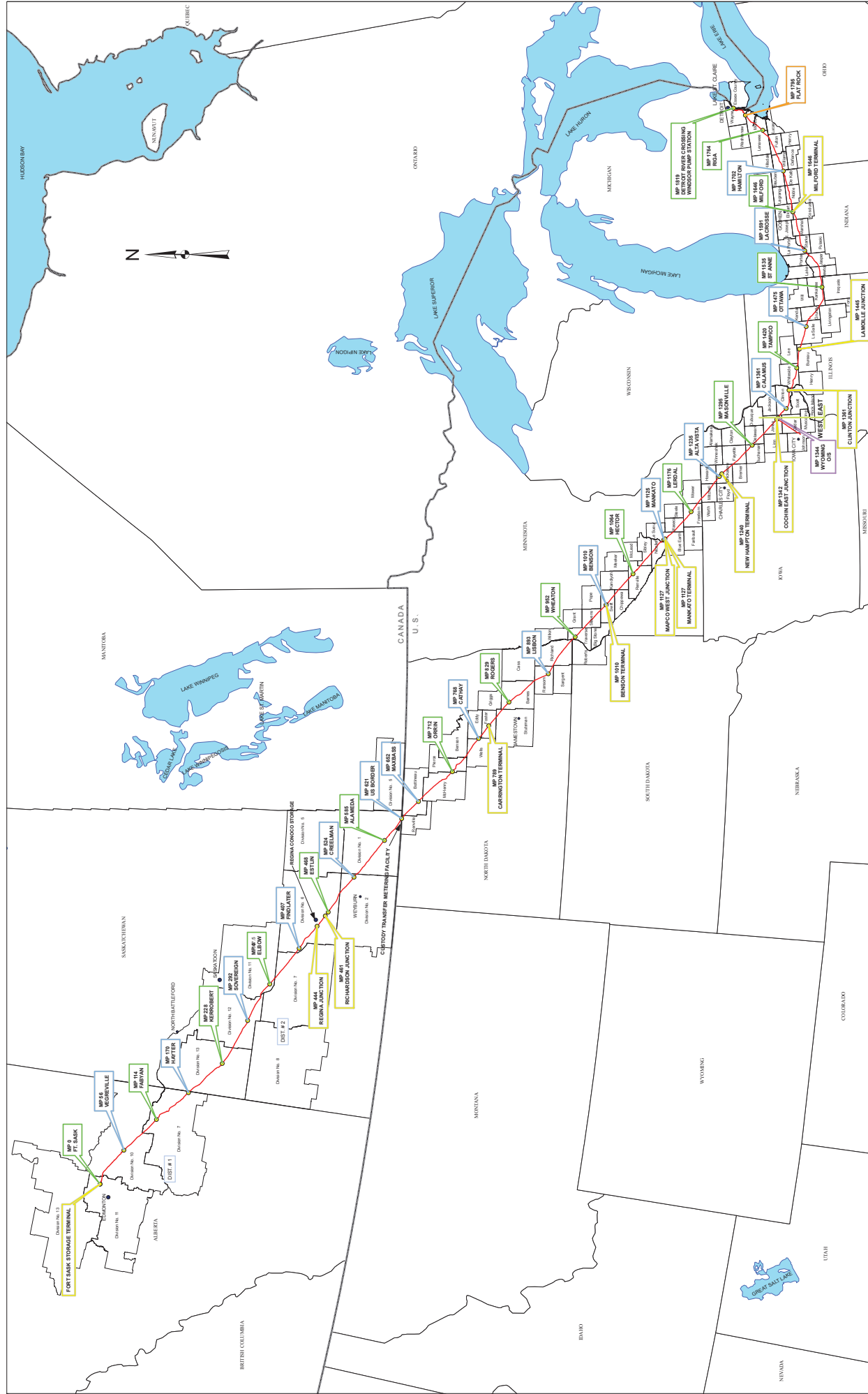
Very truly yours,

A handwritten signature in cursive script that reads "Peter R. Steenland" followed by a stylized flourish.

Peter R. Steenland

Enclosures





## LEGEND

COCHIN PIPELINE  
COCHIN FACILITY

TERMINAL  
JUNCTION



## COCHIN SYSTEM MAP

SCALE: AS NOTED  
DATE GENERATED: 7/27/2009







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June 7, 2010

Via Scanned Email and Certified Mail

J. Brian Duggan  
Energy Officer  
Bureau of Economic, Energy, and Business Affairs  
U.S. Department of State  
2201 C Street, NW  
Rm 4843  
Washington, DC 20520

Re: Issuance of New Presidential Permit For International Crossing by Pipelines

Mr. Duggan:

Dome Petroleum Corp., a North Dakota corporation ("Dome Petroleum"), and Kinder Morgan Cochin, LLC, a Delaware limited liability company ("Kinder Morgan") formerly known as Dome Pipeline Corporation ("Dome Pipeline"), file this Amended Application for two separate Presidential Permits for the operation and maintenance of two separate cross-border pipelines, commonly known as the Eastern Delivery System Pipeline ("EDS") and the Cochin Pipeline. These new permits are assignments from a single, existing permit covering both pipelines, which was assigned to Dome Pipeline in 1972 (see attachments). The EDS Pipeline was acquired by Dome Petroleum from Dome Pipeline effective March 15, 2007. The Cochin Pipeline continues to be owned by Dome Pipeline, under the name of Kinder Morgan. This Amended Application is a supplement and replacement of the original application submitted on September 22, 2008.

Statements in this Amended Application pertaining to the period prior to March 15, 2007 should be attributed to Dome Petroleum, since it was in a supervisory and controlling position relative to permit holder Dome Pipeline during that time. Any statements pertaining to the period on or after March 15, 2007 should be attributed solely to Dome Petroleum with respect to the EDS Pipeline, and solely to Kinder Morgan with respect to the Cochin Pipeline.

A Permit allowing these pipelines to cross the international border was originally issued to American Brine, Inc. on October 23, 1957 (Permit 57-07-5). The permit granted American Brine the authority to construct, connect, operate and maintain two pipelines to carry liquid brine between the United States and Canada, and one electrical cable appurtenant thereto, crossing underneath the Detroit River between Detroit, Michigan and Windsor, Canada (collectively, the "Pipelines"). A new permit issued to American Brine on March 13, 1969 superseded this permit.

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Following the sale of these pipelines to Dome Pipeline in 1972, this superseding permit was amended to reflect Dome Pipeline as the new owner, and to permit the pipelines to transport natural gas liquids (ethane, butane, propane and some condensate) in a liquid state under pressure (believed to be Permit 72-03-11). Copies of these earlier permits and prior correspondence involving the 1972 permit and 1969 amendment are attached.

On March 15, 2007 Dome Petroleum sold Dome Pipeline, its former subsidiary, to controlled affiliates of Kinder Morgan Energy Partners LP, a Delaware limited partnership with its principal office in Houston, Texas. Following the sale Dome Pipeline was converted from a Delaware corporation into a Delaware limited liability company, and it changed its name to Kinder Morgan Cochin, LLC, which is now the legal name of the former Dome Pipeline Corporation.

Immediately prior to the sale, Dome Pipeline transferred ownership of the EDS Pipeline to Dome Petroleum. Dome Pipeline, operating under the name of Kinder Morgan, retained its ownership interest in the Cochin Pipeline. Effective March 15, 2007, Dome Petroleum and Kinder Morgan assumed separate responsibility for their respective pipelines under the international crossing.

Because of the transfer of ownership of the EDS Pipeline to Dome Petroleum, it is necessary to obtain a new permit covering in the name of Dome Petroleum covering the EDS portion of the existing permit. Because the terms of the existing permit indicate that it must be operated in exactly the manner specified in the permit, including the restriction that no portion of it can be assigned, the transfer of one of the two pipelines to Dome Petroleum makes it necessary for Kinder Morgan to also seek a new permit. Accordingly, Dome Petroleum and Kinder Morgan now seek to have two new Permits issued to reflect their respective ownership of the EDS Pipeline and the Cochin Pipeline, and their related crossings. These two Permits shall be in replacement of the single Permit held by Kinder Morgan, formerly known as Dome Pipeline Corporation, which covers both pipeline crossings.

According to the Federal Register notice issued on May 31, 2005, transferee entities are required to submit applications for new permits which contain "information explaining the nature of the entity, its ownership, its place of incorporation or organization, information concerning its acquisition of relevant facility, bridge or border crossing from the prior permit holder and any other relevant information concerning its operation of the facility, bridge or border crossing." (70 Fed. Reg. 30990). In addition, the notice provides that if the "transferee commits to abiding by the relevant terms and conditions of the previously-issued permit and further indicates that the operations of the relevant facility, bridge or border crossing will remain essentially unchanged from that previously permitted, the Department of State, pursuant to 22 CFR 161.7(b)(3), does not intend to conduct an environmental review of the application under its regulations implementing the National Environmental Policy Act, 22 CFR part 161, unless information is

brought to its attention in connection with the application process that the transfer potentially would have a significant impact on the quality of the human environment.”

Pursuant to the requirements set forth in the Federal Register, Dome Petroleum and Kinder Morgan each separately provide the following:

- (1) Kinder Morgan Cochin, LLC is a Delaware limited liability company with its principal office at 500 Dallas Street Suite 1000, Houston, TX 77002. It is, in respect to the Cochin Pipeline, engaged in the interstate, intrastate and international transportation of liquid petroleum products by pipeline. Kinder Morgan Cochin is a controlled affiliate of Kinder Morgan Energy Partners LP, a Delaware limited partnership. It was formerly known as Dome Pipeline Corporation.
- (2) On March 15, 2007, a controlled affiliate of Kinder Morgan Energy Partners LP acquired Kinder Morgan (then known as Dome Pipeline Corporation) from Dome Petroleum Corp., a North Dakota corporation. Prior to the sale, Dome Pipeline was engaged in the transportation of liquid petroleum products via pipeline between the United States and Canada, and interstate and intrastate within the United States, and between and through Canadian provinces.
- (3) Dome Petroleum and Kinder Morgan each have reviewed the past, current and anticipated future operation of their respective pipelines with respect to the border crossings referenced above. Dome Petroleum and Kinder Morgan each recognize that their respective pipelines carry petroleum products, natural gas liquids and other hydrocarbons through the border crossing, in accord with the existing permit. Dome Petroleum and Kinder Morgan each currently expect the anticipated future use of their pipelines through the border crossing will be substantially unchanged. Currently, the Cochin Pipeline is being used in this substantially similar manner. However, Dome Petroleum notes that the EDS Pipeline is temporarily inactive. It is not carrying any hydrocarbon product, but is being maintained under pressure and has cathodic protection to prevent corrosion. This is a temporary state, however. When the EDS Pipeline resumes operation it will carry liquefied hydrocarbon product of substantially the same character, volume and pressure as was previously carried. As such, Dome Petroleum and Kinder Morgan each believe that their respective operations involving their respective border crossings have and will continue to remain essentially unchanged from that previously permitted in the Permit assigned to Dome Pipeline in 1972. Accordingly, Dome Petroleum and Kinder Morgan believe that the impact on the environment of their respective pipeline crossings have not changed substantially. In addition neither Dome Petroleum nor Kinder Morgan

has any immediate plans for any construction on their respective pipelines. While there are no immediately anticipated changes for the operation of the EDS Pipeline or the Cochin Pipeline, Dome Petroleum and Kinder Morgan each expect that any future changes in use of their respective pipelines under the international crossing would be addressed in accordance with all applicable legislation.

- (4) Dome Petroleum and Kinder Morgan with regard to their individual pipelines will each abide by the terms and conditions of the Permit previously issued to Dome Pipeline. In addition, Dome Petroleum's operations of the EDS Pipeline and Kinder Morgan's operation of the Cochin Pipeline through the crossing of the international border will each remain essentially unchanged from operations previously authorized by the existing Permit.
- (5) Kinder Morgan was not actively involved with the operation of either the EDS or Cochin Pipelines prior to March 15, 2007, and hence has no actual knowledge of any material environmental problems related to either pipeline prior to that time, or the EDS Pipeline after that date. Kinder Morgan has no knowledge of any material environmental problems relating to the Cochin pipeline after that date. Dome Petroleum has no knowledge of any material environmental problems related to either the EDS or Cochin Pipelines in connection with the crossing of the international border between the period when the existing Permit was assigned in 1972 through March 15, 2007, or with regard to the EDS Pipeline after that date. Going forward, the inspection and maintenance programs operated by both Dome Petroleum and Kinder Morgan, covering their respective pipelines are intended, in part, to prevent environmental problems related to their respective pipelines. These pipelines are subject to the rules and regulations of the US Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA). Dome Petroleum and Kinder Morgan each believe, to the best of their respective knowledge as of the date of this letter, that they are in substantive compliance with the DOT PHMSA's hazardous liquid pipeline safety regulations stated in 49 CFR Part 195, as amended. Moreover, the mechanical integrity of the EDS and Cochin Pipelines are currently managed in accordance with Dome Petroleum's and Kinder Morgan's respective company integrity management programs. These programs involve regular internal inspections of the pipelines in addition to other regularly scheduled activities and the programs specify actions to be taken if any problems are discovered during inspection. These integrity management programs have been reviewed with PHMSA and allowed as acceptable methods of maintaining the integrity of a pipeline system.

There are no reports generated from these PHMSA inspections for the international crossings because there were no environmental problems or

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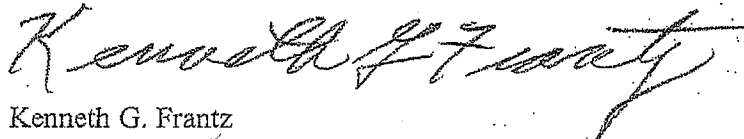
deficiencies of any sort under the PHMSA inspections. No reports are required to be generated unless the inspections identify areas of concern. Requiring reports on thousands of miles of compliant pipeline would create an unreasonable administrative burden on the pipeline companies, and hence reports are only required if problems are identified. However, the very fact that no reports were generated or corrective actions were required is itself indirect evidence that there are no problems regarding these pipeline crossings which might raise environmental concerns.

Having provided the information above in accordance with the procedure set forth in 70 Fed. Reg. 30990, Dome Petroleum and Kinder Morgan hereby request that two new Presidential Permits be issued, one to each of them, reflecting their ownership of the EDS Pipeline and the Cochin Pipeline crossings, respectively.

If you have any questions, please feel free to contact me at the address and telephone number provided above.

Very truly yours,

SIMON, GALASSO & FRANTZ, PLC

A handwritten signature in cursive script, reading "Kenneth G. Frantz". The signature is written in dark ink and is positioned above the printed name and the word "Enclosures".

Kenneth G. Frantz  
Enclosures

# EXHIBIT 1

PRESIDENTIAL PERMIT

AUTHORIZING AMERICAN BRINE, INCORPORATED, 120 LASALLE STREET, CHICAGO, ILLINOIS, TO CONSTRUCT, OPERATE, AND MAINTAIN TWO BRINE PIPELINES AND ONE ELECTRIC CABLE FROM A POINT ON THE WEST BANK OF THE DETROIT RIVER, AT DETROIT, MICHIGAN, THENCE UNDER THE DETROIT RIVER TO A POINT ON THE INTERNATIONAL BOUNDARY LINE BETWEEN THE UNITED STATES AND CANADA NEAR WINDSOR, ONTARIO, AND TO CONNECT THEM WITH LIKE FACILITIES IN CANADA.

By virtue of the authority vested in me as President of the United States, and subject to the acceptance of the conditions, provisions, and requirements hereinafter set forth, permission is hereby granted to American Brine, Incorporated, 120 South LaSalle Street, Chicago, Illinois (hereinafter sometimes referred to as the "Permittee"), to construct, operate, and maintain two brine pipelines and one electric cable extending from a point on the west bank of the Detroit River, at Detroit, Michigan, thence under the Detroit River to a point on the international boundary line between the United States and Canada, near Windsor, Ontario, and to connect said pipelines and cable with like facilities in Canada the construction of which has been conditionally approved by order of August 26, 1957, of the Department of Public Works of Canada and is subject to final approval by Order in Council of the Federal Cabinet of Canada, subject to such conditions as may be imposed by the Department of the Army under existing legislative authority, subject further to the condition that the Permittee shall

comply



comply with such requirements as may be imposed by the Canadian Government with respect to the construction of that portion of said pipeline which will lie on Canadian soil and subject to the following conditions:

Article 1. It is expressly agreed by the Permittee that the facilities and operations herein described shall be subject to all the conditions, provisions, and requirements of this permit. Permittee agrees that this permit may be terminated at the will of the President of the United States and that it may be amended by the President of the United States upon proper application therefor.

Article 2. The facilities covered by and subject to this permit are described as follows:

Two parallel pipelines to transport brine, each pipeline being 10 inches in diameter, and one waterproof electric cable to record the flow in the said pipelines, as set forth in the application dated September 3, 1957, of the Permittee for a Presidential permit and in plans attached thereto as approved in permit No. 57-07-05 of the Department of the Army dated August 7, 1957.

The facilities covered by and subject to this permit will extend from a point on the premises of the Solvay Process Division plant of the Allied Chemical and Dye Corporation on the west bank of the Detroit River immediately north of its confluence with the River Rouge at Detroit, Michigan, thence under the Detroit River to a point on the international boundary line between the

United

United States and Canada, near Windsor, Ontario.

No substantial change shall hereafter be made in the location of the facilities and operations authorized by this permit until such change shall have been approved by the Department of the Army.

Article 3. The operation of the aforesaid facilities by Permittee for the importation of brine into the United States shall be subject to such conditions as may be imposed by the Department of the Treasury.

Article 4. The construction, operation, maintenance, and connection of the aforesaid facilities shall be subject to the inspection and approval of a representative of the Department of the Army, who shall be the authorized representative of the United States Government for such purposes. The Permittee shall allow officers and employees of the United States Government showing proper credentials free and unrestricted access into, through, and across the land occupied by said facilities in the performance of their official duties.

Article 5. The Permittee shall be liable for all damages occasioned to the person or property of others by the construction, operation, and maintenance of the aforesaid facilities and connections, and in no event shall the United States Government be liable therefor. The Permittee shall do everything reasonable within its power to prevent or suppress fires on the land occupied under this permit.

Article 6. Neither this permit nor the facilities and connections, nor any part thereof, covered by this permit shall be voluntarily transferred in any manner, but the permit shall continue in effect

effect temporarily for a reasonable time in the event of the involuntary transfer of the facilities and connections used hereunder by operation of law pending the making of an application for a permanent permit and decision thereon, provided notice is promptly given in writing to the Department of State accompanied by a statement that the facilities and connections authorized by this permit remain substantially the same as before the involuntary transfer. The Permittee shall maintain the facilities and connections, and every part thereof, in a condition of repair for the efficient operation of said facilities and connections in the transportation of brine and shall make all necessary renewals and replacements.

Article 7. The construction, operation, maintenance, and connections hereby permitted of facilities for the transportation of brine, it is understood, shall be in all respects subject to the power of Congress under its authority to permit or prohibit the maintenance and operation of such facilities and to regulate commerce as applied to the business of this Permittee.

Article 8. Upon the termination, revocation, or surrender of this permit, the transportation facilities herein authorized shall be removed within such time as the Secretary of the Army may specify, and at the expense of the Permittee. Upon failure of the Permittee to remove such transportation facilities or any portion thereof, the Secretary of the Army may direct that possession of the same be taken and the facilities be removed, at the expense of the Permittee, and the Permittee shall have no claim for damages by reason of such possession or removal.

Article 9. The Permittee agrees that when, in the opinion of the

President of the United States, evidenced by a written order addressed to it as holder of this permit, the safety of the United States demands it, the United States Government shall have the right to enter upon and take possession of any of the facilities, or parts thereof, maintained or operated under this permit, to take such measures as it deems necessary with respect to all contracts of the Permittee covering the transportation or sale of brine by means of said facilities, to retain possession, management, and control of the facilities for such length of time as may appear to the President to be necessary to accomplish said purposes, and then to restore possession and control to the Permittee; and in the event that the United States Government shall exercise such right it shall pay to the Permittee just and fair compensation for the use of said facilities upon the basis of a reasonable profit in time of peace, and the cost of restoring said facilities to as good condition as existed at the time of taking over thereof, less the reasonable value of any improvements that may be made thereto by the United States Government and which are valuable and serviceable to the Permittee.

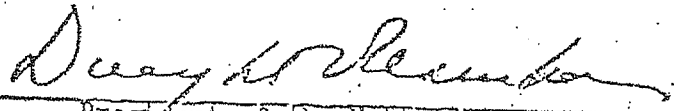
Article 10. This permit is subject to any action which the Government of the United States may in the future deem expedient or necessary to take in case any part of the aforesaid facilities comes into the control of any foreign government.

Article 11. The Government of the United States shall be entitled to the same or similar privileges as may by law, regulations, agreement, or otherwise, be granted by the Permittee to any foreign government.

Article 12.

Article 12. This permit is subject to the limitations, terms, and conditions contained in any orders issued by the Department of the Army or by the Department of the Treasury with respect to the Permittee, and shall continue in force and effect only so long as the Permittee shall continue the operations thereby authorized in exact accordance with such limitations, terms, and conditions.

IN WITNESS WHEREOF, I, DWIGHT D. EISENHOWER, have hereunto signed my name this 23rd day of October, 1957, in the City of Washington, District of Columbia.

  
President of the United States

NOTE.—It is to be understood that this instrument does not give any property, right, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. It MERELY EXPRESSES THE ASSENT OF THE FEDERAL GOVERNMENT SO FAR AS CONCERNS THE PUBLIC RIGHTS OF NAVIGATION. (See *Cummings v. Chicago*, 188 U. S., 410.)

PERMIT

EXHIBIT A-14

Office of the District Engineer  
Detroit District, Corps of Engineers.  
Detroit 26, Michigan  
AUG 7 1957

American Brine Incorporated  
120 South LaSalle Street  
Chicago 3, Illinois

Sirs:

Referring to written request dated

10 May 1957

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army.

to place two (2) 10 inch submarine pipe lines (salt brine) and a recording cable  
(Here describe the proposed structure or work.)

in under the Detroit River

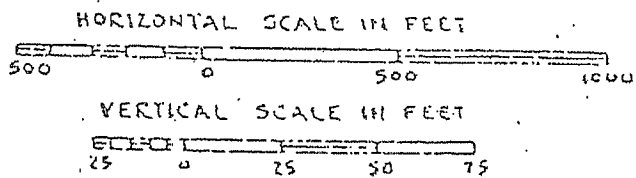
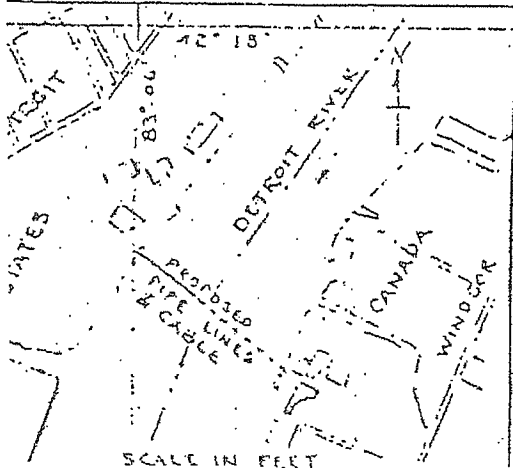
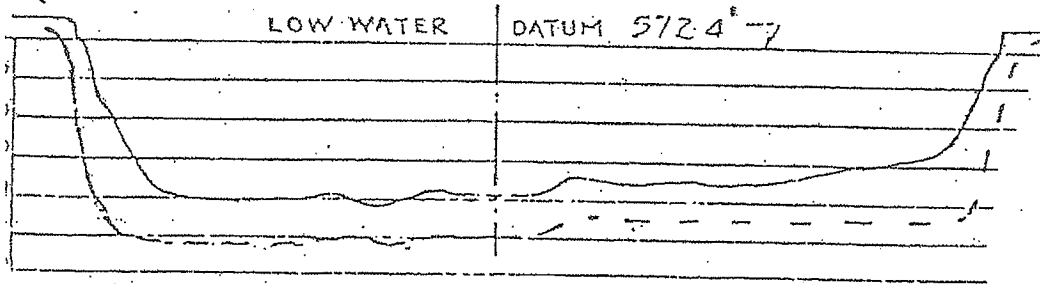
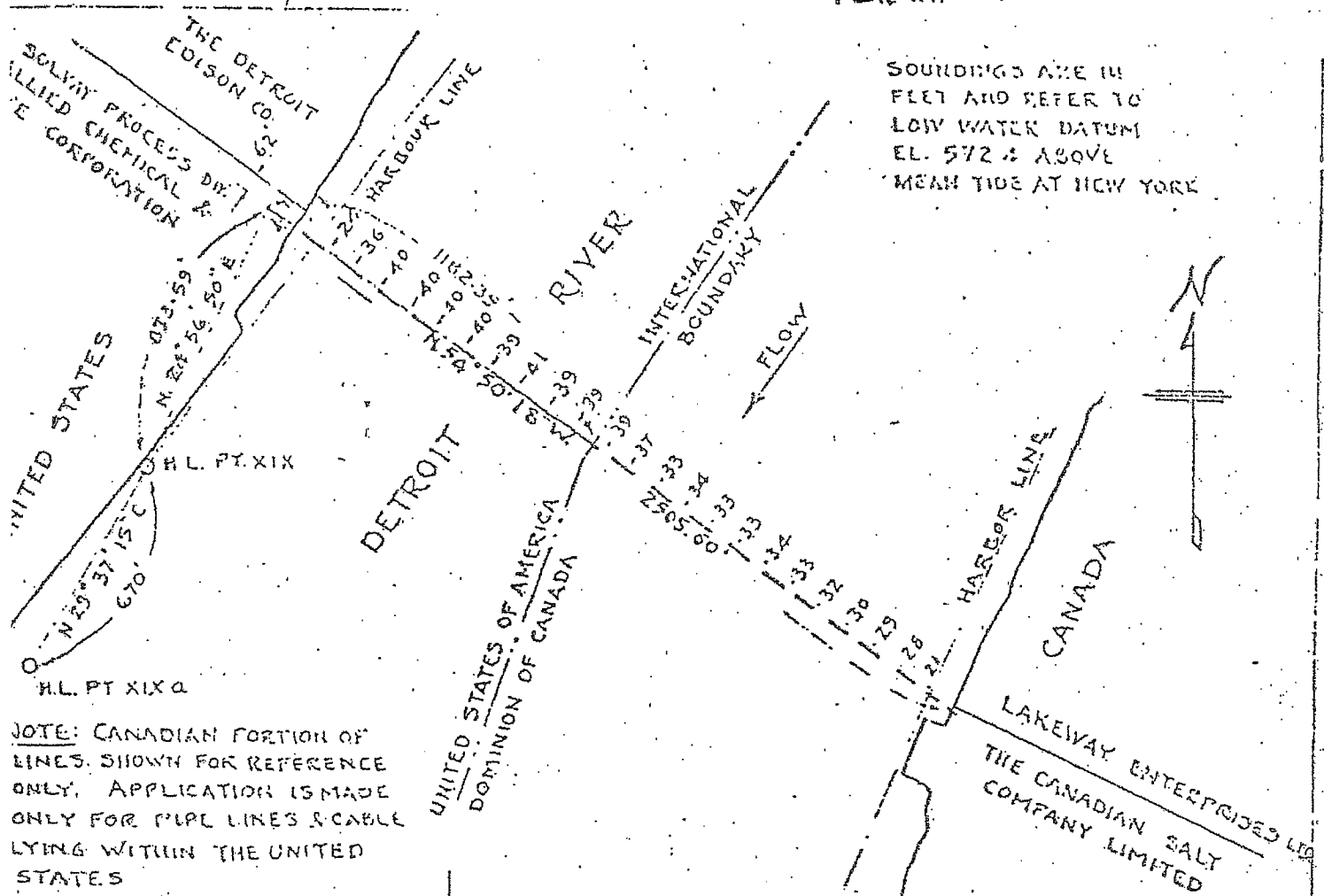
(Here to be named the river, harbor, or waterway concerned.)

at Detroit, Michigan, from a point approximately 2 miles downstream from the  
(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and thence from some definite point in the same, stating whether above or below or giving direction by points of compass.)  
Ambassador bridge to the International boundary

in accordance with the plans shown on the drawing attached hereto marked: "Proposed  
(Or drawings; give file number or other definite identification marks.)  
Submarine Pipe Lines for brine across Detroit River at Detroit, Michigan Application  
by: American Brine Inc. 120 S. LaSalle St. Chicago 3 Illinois May 10, 1957."

subject to the following conditions:

Permit No. 57-07-5



PROPOSED SUBMARINE PIPE LINES FOR BRINE  
ACROSS DETROIT RIVER AT DETROIT, MICHIGAN  
APPLICATION BY: AMERICAN BRINE INC  
120 S LASALLE ST CHICAGO 3 ILLINOIS

LOCATION MAP  
REFER: U.S. LAKE SURVEY

MAY 10, 1957

# EXHIBIT 2



## PRESIDENTIAL PERMIT

AUTHORIZING AMERICAN BRINE, INCORPORATED, TO  
CONSTRUCT, CONNECT, OPERATE, AND MAINTAIN TWO  
PIPELINES AND ONE ELECTRIC CABLE APPURTENANT THERETO  
AT THE INTERNATIONAL BOUNDARY LINE BETWEEN THE  
UNITED STATES AND CANADA

By virtue of the authority vested in me as Under Secretary of State of the United States (pursuant to Executive Order 11423 of August 16, 1968 and Delegation of Authority No. 118 of February 5, 1969), and subject to the acceptance of the conditions, provisions, and requirements hereinafter set forth, permission is hereby granted to American Brine, Incorporated, 110 North Wacker Drive, Chicago, Illinois (hereinafter referred to as the "permittee"), a wholly owned subsidiary of Morton International, Inc., 110 North Wacker Drive, Chicago, Illinois, to construct, operate, and maintain two pipelines and one electric cable appurtenant thereto under the Detroit River at Detroit, Michigan, to a point on the international boundary line between the United States and Canada, near Windsor, Ontario, and to connect said pipelines and cable with like facilities in Canada, the said pipelines to be used for the transmission of commercial fluids other than oil, natural gas and other hydrocarbons.

The term "facilities" as used in this permit means the pipeline system and all land, structures, installations, and equipment appurtenant thereto. The term "United States facilities" as used herein means that part of the facilities in the United States.

The facilities, of which the United States facilities covered by and subject to this permit are a part, are described as follows:

Two existing parallel pipelines, each pipeline being 10 inches in diameter, and one waterproof electric cable to record the flow in the said pipelines, as previously authorized for the transmission of brine by a Presidential Permit dated October 23, 1957 and as described in the applications for Presidential permits dated September 3, 1957 and March 6, 1968, and in plans attached thereto. These facilities extend from a point on the premises of the Solvay Process Division plant of the Allied Chemical Corporation on the west bank of the Detroit River immediately north of its confluence with the River Rouge at Detroit, Michigan, thence under the Detroit River to a point on the international boundary line between the United States and Canada, near Windsor, Ontario.

The permittee shall furnish, install, and maintain or cause to be furnished, installed, and maintained, such metering facilities as are required by the Commissioner of Customs, provided with an adequate proving system or systems, and a suitable sampling device or devices; the installation and operation of said facilities and their location to be subject to the approval of the Commissioner of Customs. The conditions and times of meter reading, meter proving, and sampling shall be as directed by the Commissioner of Customs.

The effectiveness of this permit to authorize connection of the United States facilities at the international boundary line with the facilities located in Canada is subject to the issuance by the appropriate authorities in Canada to a company or companies operating in Canada, of any necessary authorizations for the construction, operation, and maintenance of the facilities located in Canada and for their connection with the United States facilities at the international boundary line.

This permit is subject to such conditions as the Secretary of State of the United States or his delegatee may see fit, expedient or necessary hereafter to impose; is subject to the acquisition by the permittee of a servitude of passage or right-of-way, valid under the laws of the State of Michigan from any and all persons owning or asserting an interest of any nature or kind whatsoever in and to the land in the United States in the vicinity of the point of connection between the United States facilities and the facilities located in Canada; and is subject to the following further conditions:

Article 1. It is expressly agreed by the permittee that the United States facilities and operations herein described shall be subject to all the conditions, provisions and requirements of this permit or any amendment thereof, further that this permit may be terminated at the will of the Secretary of State of the United States or his delegatee or may be amended by the Secretary of State of the United States or his delegatee at will or upon proper application therefor, further that the permittee shall make no substantial change in the location of the United States facilities or in the operation authorized by this permit until such changes shall have been approved by the Secretary of State of the United States or his delegatee.

Article 2. The construction, connection, operation, and maintenance of the United States facilities shall be subject to inspection and approval by the representatives of any Federal or State agency concerned. The permittee shall allow duly authorized officers and employees of such agencies free and unrestricted access to said facilities in the performance of their official duties.

Article 3. Upon the termination, revocation, or surrender of this permit, the United States facilities in the immediate vicinity of the international boundary line shall be removed by and at the expense of the permittee within such time as the Secretary of State of the United States or his delegate may specify, and upon failure of the permittee to remove this portion of the United States facilities as ordered, the Secretary of State of the United States or his delegate may direct that possession of such facilities be taken and that they be removed at the expense of the permittee; and the permittee shall have no claim for damages by reason of such possession or removal.

Article 4. The transportation of fluids through the United States facilities shall be in all respects subject to the power of Congress under its authority to regulate commerce as applied to the business of this permittee.

Article 5. This permit is subject to the limitations, terms and conditions contained in any orders issued by any competent agency of the United States Government with respect to the United States facilities or the fluids transported thereby, and shall continue in force and effect only so long as the permittee shall maintain its operations hereby authorized in exact accordance with such limitations, terms and conditions.

Article 6. The permittee agrees that when, in the event the President of the United States, the national security of the United States demands it, due notice being given by the Secretary of State of the United States or his delegate, the United States shall have the right to enter upon and take possession of any of the United States facilities or parts thereof and to take such measures as it deems necessary with respect to all contracts of the permittee covering the transportation or sale of fluids by means of the United States facilities; to retain possession, management and control thereof for such length of time as may appear to the President to be necessary to accomplish said purposes; and thereafter to restore possession and control to the permittee. In the event the United States shall exercise such right, it shall pay to the permittee just and fair compensation for the use of such United States facilities upon the basis of a reasonable profit in normal conditions, and the cost of restoring said facilities to as good condition as existed at the time of entering and taking over the same, less the reasonable value of any improvements that may have been made by the United States.

Article 7. Neither this permit nor the United States facilities nor any part thereof covered by this permit shall be voluntarily transferred in any manner. In the event of an involuntary transfer of the United States facilities or any part thereof by operation of law (including transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) the permit shall continue in effect

temporarily for a reasonable time pending the making of an application by the transferee for a permanent permit and decision thereon, provided that notice of such involuntary transfer is given promptly in writing to the Department of State of the United States accompanied by a statement by the transferee under oath that the United States facilities and the operation and maintenance thereof authorized by this permit will remain substantially the same as before the involuntary transfer.

Article 8.

(1) The permittee shall maintain the United States facilities and every part thereof in a condition of good repair for their safe operation.

(2) The permittee shall take reasonable precautions to prevent and suppress fires, explosions or leakage and to avert any conditions on the land traversed or waters affected by the United States facilities which might endanger the safety of these facilities.

(3) The permittee shall notify the Department of Transportation prior to the transmission of any hazardous fluid in accordance with Part 180 of the Hazardous Materials Regulations of the Department of Transportation. The permittee shall take such action as may be required to comply with regulatory requirements for the safe transmission of hazardous materials.

(4) The permittee shall save harmless the United States from any claimed or adjudged liability arising out of the construction, operation, or maintenance of the facilities.

Article 9. The permittee agrees to file with the appropriate agencies of the Government of the United States such statement or reports under oath with respect to the United States facilities, the fluids transported thereby, and/or permittee's activities and operations in connection therewith, as are now or as may hereafter be required under any laws or regulations of the Government of the United States or its agencies.

This permit supersedes the permit granted to the permittee on October 23, 1957.

IN WITNESS WHEREOF, I, ELLIOTT L. RICHARDSON, Under Secretary of State of the United States of America, have hereunto set my hand this 13th day of March, 1969, in the City of Washington, District of Columbia.

*Elliott L. Richardson*

# EXHIBIT 3

# DOMO PETROLEUM LIMITED

J. P. GALLAGHER  
PRESIDENT

P.O. Box 200  
CALGARY, CANADA  
T2P 2H8

TELEPHONE  
267-3910  
(AREA 401)

July 10, 1972

Corps of Engineers,  
Chief, Operations and Maintenance  
Branch,  
U. S. Army Engineer District,  
150 Michigan Avenue,  
Detroit, Michigan 48226.

Attention: Mr. U. W. Boresch

Dear Sir:

Re: Corps of Engineers Permit 57-07-5  
dated August 7, 1957

This is to inform you that Dome Pipeline Corporation has purchased from American Brine Inc. the two 10 inch submarine pipelines and a recording cable located under the Detroit River at a point approximately 2 miles downstream from the Ambassador Bridge to the International Boundary. These pipelines will be used by Dome Pipeline Corporation for the transportation of liquid hydrocarbons.

These lines were installed in 1957 by Collins Construction Co. of Port Lavaca, Texas. Two 10.750" O. D. X 0.500 WT, API 5L Grade A pipes were installed.

In 1959 the pipes were hooked by a ship's anchor. One pipeline was removed and replaced and both pipes were lowered in the river by jetting and backfill (6" rock) was put in place. No further damage has been done to the submarine pipelines since 1959.

The pipelines were taken out of service by American Brine Inc. in 1966 but have had cathodic protection on them at all times from the date of the original installation.

Dome Pipeline Corporation has recently completed a hydrostatic pressure test on each of these lines to a pressure of 1800 pounds. These tests have proved the structural soundness of both of these lines.

Remotely controlled valves are being installed on both sides of the Detroit River. After construction of these valves, the lines will be tested to meet the requirements of Part 195 of the Department of Transport Regulations and applicable regulations as set down by the State of Michigan.

No construction will take place within the Detroit River and therefore navigation will not be affected by the utilization of these existing submarine pipelines.

If in the future these lines should be damaged by ship traffic there would be little or no effect on the environment because of the remotely controlled valves set on either side of the river which would automatically close in the event of a leak. These pipelines will be transporting natural gas liquids (ethane, butane, propane and some condensate) in a liquid state under pressure which in the event of a leak will escape to the atmosphere and would have much less environmental impact than products that could be transported through the pipelines under the existing permit.

We have notified the Secretary of State of the change of ownership of the submerged lines and the use to which these lines will be put by the Company.

Will you kindly acknowledge receipt of this letter and amend the existing permit if necessary.

Yours truly,

C. E. Crawford,  
Executive Secretary,  
Dome Pipeline Corporation

CEC/jw  
attach. (Permit 57-07-5)

DCP  
DOME PETROLEUM LIMITED

J. P. GALLAGHER  
PRESIDENT

P.O. Box 200  
CALGARY, CANADA  
T2P 2H5

TELEPHONE  
267-3910  
AREA 401

058.5.02

July 10, 1972

Mr. William C. Lieblich, Attorney,  
Office of the Legal Advisor,  
Department of State,  
Washington, D. C. 20520.

Dear Mr. Lieblich:

Dome Pipeline Corporation requests an amendment to the Presidential Permit issued to American Brine Inc. on March 13, 1969 by the Under Secretary of State of the United States of America.

This permit authorizes American Brine Inc. to construct, connect, operate and maintain two pipelines and one electrical cable appurtenant thereto under the Detroit River at Detroit, Michigan to a point on the International Boundary Line between the United States and Canada, near Windsor, Ontario, Canada. The existing permit authorizes the pipeline system to be used for the transmission of commercial fluids other than oil, natural gas and other hydrocarbons.

On May 19, 1972, you were advised by McBride, Baker and Co. of Chicago that American Brine Inc. had transferred the ownership of the said pipelines to Dome Pipeline Corporation and I understand that the existing Presidential Permit is in the process of being amended to show the new owner - Dome Pipeline Corporation.



Dome Pipeline Corporation requires a further amendment to the Presidential Permit in order to operate and maintain a pipeline system for the transportation of petroleum, petroleum products and other liquid hydrocarbons.

Dome Pipeline Corporation has recently completed a hydrostatic pressure test on each of these lines to a pressure of 1800 pounds. These tests have proved the structural soundness of both of these lines.

Remotely controlled valves are being installed on both sides of the Detroit River. After construction of these valves, the lines will be tested to meet the requirements of Part 195 of the Department of Transport Regulations and applicable regulations as set down by the State of Michigan.

The Corps of Engineers have been advised of the change of name and the new use to which these pipelines will be put. A copy of the existing Corps of Engineers permit 57-07-5 and a copy of our letter advising them of the change of name and change of use is attached hereto.

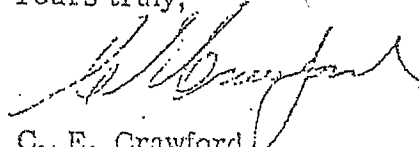
These existing pipelines under the Detroit River will be part of a pipeline facility system that will deliver liquid hydrocarbons from storage owned by Dome Petroleum Limited at Windsor, Ontario to a synthetic natural gas plant being constructed by Columbia LNG Corporation in Green Springs, Ohio.

It is possible that these pipelines under the Detroit River will also connect with other existing pipelines in the vicinity of may form part of the pipeline system designated in an application to the Secretary of State by Dome Pipeline Corporation dated September 17, 1971.

These pipelines will be transporting natural gas liquids (ethane, butane, propane and some condensate) in a liquid state under pressure which in the event of a leak will escape to the atmosphere and would have much less environmental impact than products that could be transported through the pipelines under the existing permit. Environmental Impact Statements have been filed with the State of Michigan and the State of Ohio.

We would like to commence construction of the pipeline in September of 1972 in order that deliveries can commence to Columbia early in 1973 and would ask that this application be handled as expeditiously as possible.

Yours truly,



C. E. Crawford,  
Executive Secretary,  
Dome Pipeline Corporation

CEC/jw

attach: Permit 57-07-5 (Corps. of Eng.)

Letter to Corps of Engineers dated July 10, 1972

Presidential Permit dated March 13, 1969



DEPARTMENT OF THE ARMY  
DETROIT DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 1027  
DETROIT, MICHIGAN 48231

IN REPLY REFER TO  
NCECO-O

AUG 2 - 1972

17MI-41-5-1

Mr. C. E. Crawford  
Executive Secretary  
Dome Pipeline Corporation  
P. O. Box 200  
Calgary, Canada

Dear Mr. Crawford:

Reference your letter of 10 July 1972, we have amended our records to show that Dome Petroleum Limited has purchased from American Brine Incorporated the two 10 inch pipelines and recording cable located under the Detroit River as authorized in Corps of Engineers Permit 57-07-5, dated 7 August 1957. The conditions of the permit thereby are binding upon Dome Petroleum Limited.

Since no work is proposed to be accomplished on the existing pipelines riverward of the high water line of the Detroit River, no additional processing of the permit is required.

You may proceed without further notice from us to utilize the submerged crossing, as set forth in your letter of 10 July 1972. It should be noted that our authority relative to these pipelines pertains only to the parts within United States waters.

Sincerely yours,

*Myron D. Smoke*  
MYRON D. SMOKE  
Colonel, Corps of Engineers  
District Engineer



# Kinder Morgan Cochin Pipeline

Organizational Chart – August 18, 2014

